

Response under 37 C.F.R. §1.111
Attorney Docket No. 010945
Serial No. 09/912,503

REMARKS

Claims 1-5 are pending in the application. Claims 1 and 3 are rejected. Claims 2, 4 and 5 are allowed.

Claim Rejections - 35 U.S.C. §103

Claims 1 & 3 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. US 5,221,035 to Suzuki et al. in view of “Sasaki et al. (US 6,278,472 B1)”, however, we believe that the Examiner meant to write “U.S. Patent No. 4,140,907 to Oba”.

The Examiner asserts that Suzuki et al. in view of Oba disclose a pair of rollers downstream from the platen roller and the thermal head along with the one roller on the side of the thermal head is driven by a power source, but the other roller being on the side of the platen roller is not driven by the power source.

The Examiner notes that Suzuki et al. does not disclose that one roller of the paired feed rollers located on the thermal head side with respect to the printed sheet is rotated by a driving power source, and the other roller located on said platen side is a driven roller is not rotated by a driving power source.

The Examiner asserts that Oba et al. uses a single driving roller against a non-driving (freely rotating) roller to pull a printing medium away from a “platen” (actually, an applicator roller), although the “platen” is also a driving roller, and not freely rotatable.

The Examiner asserts that it would have been obvious to utilize the configuration of a roller located on the thermal head side with respect to a printed sheet that is a driving roller rotated by a driving power source, pressed against a non-driving roller, as disclosed by Oba, into the apparatus of Suzuki et al. The Examiner offers the assertion that the motivation would be “for the purpose of recording visible images on a recording sheet”.

Applicants note that to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be found in the prior art, and not based on Applicant's disclosure.

Applicants respectfully disagree with the above rejection, because there is shown no reasonable suggestion to combine the references. Applicants further disagree with the above rejection, because even if properly combined, the cited combination does not teach or suggest all the limitations in the claims.

Applicants first emphasize the difference between a "driving roller", which is a powered roller, and a "driven roller", which is freely rotatable. The present specification teaches that an apparatus having a driving platen is significantly different from an apparatus that has a freely rotatable driven platen. As noted on page 10, lines 9 et seq., "in the case of the structure that the platen 62 is supplied with the turning effort of the power source to rotate as in the conventional printer which has been described with FIG. 8, there occurs a problem when the printable sheet 68 is used, which is composed of a double film, made by folding a film into two, folded at one edge side with the other edge side open with respect to the feeding direction as explained with FIG. 9. In other words, it often happens that the film 68b contacting the platen 62 is fed by the feeding force of the platen 62, but the film 68a on the thermal head 61 side is hard to be fed due to

occurrence of slippage with respect to the film 68b as explained with FIG. 10, and thus the printable sheet 68 can not be fed in a proper manner.”

Applicants note that Oba has the rollers (53) and (13) as “driving roller” located on both sides of the printed sheet (10) (in Fig. 8, above and below of the printed sheet) to feed the printed sheet (10). Suzuki et al. also has a pair of feed rollers (15) as “driving roller” located on the both side of the printing medium (23). Applicants note that Suzuki et al. discloses the structure of paired feed rollers located on the upstream with respect to the printed portion, and one roller of the paired feed rollers is a driving roller (2) and the other roller is a driven roller (3). The driven roller (3) is located on the thermal head side, so that it is also different from the present application.

Applicants note that Oba et al. includes a driving platen, rather than a freely rotatable platen. Oba et al. is similar to the conventional prior art apparatus discussed in the present specification. Therefore, any roller structure disclosed in combination with the driving platen structure of Oba et al. would not be applicable to rollers to accompany an apparatus having a freely rotatable driven platen.

With regard to an apparatus with a freely rotatable driven platen, Suzuki et al. teaches that a pair of driving rollers is used. There is no teaching that a single driving roller would be used in conjunction with a driven roller/platen. Therefore, it appears to be only with present-day hindsight that the Examiner can suggest that one skilled in the art would have selected the single driven roller structure of Oba et al. and combined it with the non-driven platen structure of Suzuki et al.

Therefore, Applicants submit that the cited references do not disclose a feeding mechanism in which a driving roller is provided on only one side (thermal head side) as

Response under 37 C.F.R. §1.111
Attorney Docket No. 010945
Serial No. 09/912,503

described in the present application. Therefore, it is clear that there is shown no suggestion for the mechanism of present application, even if the cited references are combined.

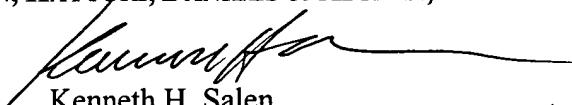
In view of the aforementioned amendments and accompanying remarks, Applicants submit that that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Kenneth H. Salen
Attorney for Applicants
Registration No. 43,077

KHS/led
1250 Connecticut Avenue, NW
Suite 700
Washington, D.C. 20036
(202) 822-1100

Q:\2001\010945\010945 Amendment 4-16-04.doc